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USEPA SF



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WA 99003

February 9, 1989

Dear Sirs:

This letter is a follow-up to a public hearing held on February 8 at the Colbert Elementary School in regard to remedial action for the Colbert landfill. As a geologist/cost evaluator with a background in hydrology, there are several concerns which I feel need consideration prior to implementation of any clean-up process. These concerns are as follows:

1. It is apparent that the responsible agencies do not really have a good handle on the extent of the contaminated plume in the aquifers due to the minimal amount of actual monitor wells (8) and the lack of coverage for private wells which are being monitored (large areal extent of no data points). Because of this, any remedial cost analysis is ridiculously inadequate. What is the estimated accuracy of the dollar values given in the Consent Decree? How can you derive these numbers without significantly greater data input so as to fully assess the true extent of contamination, in other words, how well can you assess the cleanup costs without knowing the size of your mess?

2. Who generated the present remedial cost analysis and what is their background in regard to this type of Superfund site? Were these costs derived by an experienced engineering firm with a familiarity to this type of site and are they a unbiased third party? Who commissioned their study? Did they create only one model or were several scenarios considered which would take into effect the future variables of this site (ie. changes in acceptable safe water standards for the contaminants present in this system; ineffectiveness of the proposed air stripping system which would require adopting a more costly method of contaminant removal; possible subsurface obstructions or diversions in the aquifers which would require modifying the proposed system; cost associated with possible surfacing of the plume in springs along the Little Spokane River); wind direction studies which when complete may restrict the siting options for process facilities. There appear to be so many questions which appear to have not even been considered in this case prior to the major polluters signing off on a document which I assume they view as nothing more than a nuisance payment to keep themselves from going to court and having to paying a more equitable share of repairing the damage they have done to this area.

DEPT. OF JUSTICE

LANDS DIV.

Feb 17, 1989

3. What are the efficiencies of the air stripping process and the chemical oxidation process? Why was the less efficient air stripping process chosen when the Washington State Department of Ecology - Fact Sheet distributed in 1987 indicates that the disadvantage of this process is that there will be "EMISSION OF CONTAMINANTS INTO THE AIR." It is much more prudent to use the newer, more effective technology of chemical oxidation where contaminants can be fully contained and more completely destroyed. It appears that those in charge of this project feel that local airborne contamination of residents, regardless of official assurances on how minor it might be, is fully justified by a significant (I assume) remedial cost savings by using the cheaper, less efficient air stripping system. As a resident of the area I do not accept this tradeoff in health by broadcasting the pollutants into the air, just to reduce the cost burden for the original offenders.

4. How can any of my previous points have been assessed properly by the EPA when there has not even been a risk assessment generated in regard to discharging these pollutants into the atmosphere? Again, cost analysis has been completed prior to the required data even being compiled by preliminary baseline studies.

5. The settlement in this Consent Decree really bothers me in that it appears the primary polluters are not being held responsible for their portion of this serious problem. What are the percentages of pollutant contribution by the primary polluters and what are their remedial cost burdens. It seems to me that if a party contributed 50% of the toxin, they should supply 50% of the cost to clean up that toxin. Is this a case of the EPA negotiating away the health and tax dollars of the local residents just to improve their past dismal record in regard to the Superfund program. How does the General Accounting Office regard the past performance of the EPA, and will their report be made available to the judge who is to decide this case? We need tough, informed cleanup procedures here, not just a quick and dirty settlement to enhance the statistics in regard to the EPA's performance.

6. What is the history of "safe" contaminant levels. In general isn't it true that standards tend to get stricter rather than less strict as more is learned in regard to the carcinogenic effects of these toxins? What are the present acceptable levels of the 6 primary chemicals and what was their acceptable level say, ten years ago in 1979? Why haven't projections of these variables been included in the remedial cost analysis done on this project?

7. What thought has been given to minimizing the spread of the plume during the interim prior to installation of remedial facilities? Has pumping of the groundwater into a evaporative pond facility been fully evaluated? Has the use of injection wells to create a hydraulic damming effect to slow plume growth been considered? If these and other ideas have not been studied, the agencies in charge of this project have neglected their duty to protect the citizens and the public water sources. The answer I received at the public hearing in regard to this issue was that they wanted to be sure that the system would work the first time and that they would not have to expend monies that would be put toward eventual cleanup operations. This is baloney, the more the contamination can be confined, the less the cost for cleanup later. Perhaps we forget about the old adage which when paraphrased goes something like, "In want of a nail the shoe and eventually the war was lost." Also to say that the pilot test facility would be left operating on site and therefore would retard the movement of the plume is ridiculous. A tiny test plant in a single location without the containment and directional aid of injection wells to overcome normal hydraulic gradients is a waste of time and would accomplish about as much as the EPA has since 1980!

8. What would the effect be if this Consent Decree is not signed before the peoples pollution Initiative 97 (I believe) goes into effect in March of 1989? Would the primary polluters be required to pay more of a percentage for their actions than under the current Consent Decree? Again, it is my contention that the citizens of this area are picking up more of the tab for this cleanup than they should be burdened with. What has the past performance of the EPA been for settlements at other Superfund sites? It appears that they are eager to get any kind of settlement out of this project, and that they are especially eager to complete this Consent Decree prior to its falling under the guidelines of Initiative 97. Are "we the people" being sold down the river for the quick and easy fix?

9. Is the Little Spokane River being monitored during the pre-action phase of this project? If not, why? I noticed that on one of the maps presented at the public meeting that three wells nearly due west of the landfill and adjacent to the Little Spokane were contaminated with at least 100 PPB concentrations. On the maps you elected to draw the plume boundary nearer to the wells than to the river. What basis do you have for this action when in a previous FACT SHEET (1987), a similar map shows that in fact the plume had already reached the river by 1987. I must assume that since that time the river has received steadily increasing quantities of the toxins. Why isn't any program in place to determine what concentration is being "flushed" to our downstream neighbors, shouldn't they be warned about these toxins?

10. Why is it taking so long for action to come from the environmental agencies involved? Thirteen years from the time of residents complaints until the first on-site remedial action is incredible. Is the efficiency of the EPA in getting actual work started an indication of a similar retardation in the vision they will use to approach the problem at this site?

11. What is the purpose of the covenant not to sue? It seems that when the problem caused by these major contributors to the areas pollution is solved, then their responsibility will be over. Is there such a headlong dash for a settlement in this case, that we are willing to set limits to when these organizations are no longer responsible for their actions? How can a time frame for litigation be generated prior to collection of basic environmental and project data (i.e. size of the contaminated plume; local wind directions and velocities; effectiveness of the basic premise that air stripping will effectively remove these toxins). In a nutshell, I believe that costs may be far greater than those divvied up at the legal blame-sharing sessions and it appears that Spokane County (the taxpayers) will end up holding a rather expensive bag.

I wish to thank you for the opportunity for input and hope that you will not be swept away with the apparent technical knowledge of the lead agencies involved in this project. In my experience to this and other issues where "experts" have been involved, I have found, that most are not.

Sincerely,

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